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FROM: Robert C. Netter, Ph.D.
Technical Advisor

OPERATOR: Robert Netter

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Re: 09/359,181

Comments: Summary for interview tomorrow (5/20) at 10AM

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ESTABLISHED 1973PATENT, TRADEMARK
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DISPUTE RESOLUTION

C. MARSHALL DANN (1977-2002)

May 19, 2003

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By Facsimile

Dr. Michael Woodward
USPTO
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**Re: Examiner interview regarding Advisory Action received in connection with:
U.S. Patent Application No. 09/359,181
Entitled: Computer-aided Method for the Provision, Identification, and
Description of Molecules
Inventor: Gerard Grassy**

Dear Examiner Woodward:

In the Advisory Action dated 11 February 2003 Examiner Clow indicated that certain steps of claims 1 and 18 allegedly fail to satisfy the enablement requirement of 35 USC §112, first paragraph with regards to the molecular modeling step requiring molecular descriptors. The aim of the proposed amendments provided hereinbelow is to clarify that the present methods are not directed to the creation or discovery of previously unidentified molecular descriptors. Rather, consistent with and supported by the example given in the detailed description of the present application, the objectionable method steps of claims 1 and 18 relate to the selection of descriptors which by implication are known at the time the method is performed.

The amended claims would, of course, cover the use of new descriptors which might be created or discovered in the future, but this practice is typical. After all, a hypothetical patent filed before the discovery of aluminum and directed to a method of conducting electricity along a metal wire would, quite rightly, be infringed by a person using an aluminum wire to conduct electricity.

The proposed claim amendments are as follows:

in the first step of claim 1:

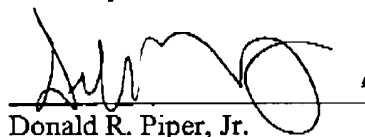
"a molecular modeling step in which molecular descriptors are selected [determined] computationally;"

and the first step of claim 18:

"a step of molecular modeling in which molecular descriptors of a molecule having immunomodulatory activity are selected [determined] computationally."

If you have any further questions regarding this matter, please let me know.

Sincerely,



Donald R. Piper, Jr.
PTO Registration No. 29,337

RCN/drp
Enclosures